

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

KLAMATH-SISKIYOU WILDLANDS )  
 CENTER, SISKIYOU REGIONAL )  
 EDUCATION PROJECT, and OREGON )  
 NATURAL RESOURCES COUNCIL, )  
 Oregon non-profit )  
 corporations, )  
 )  
 Plaintiffs, )  
 ) Civil No. 04-1522-CO  
 v. )  
 ) ORDER  
 The BUREAU OF LAND MANAGEMENT, )  
 an agency of the United States )  
 Department of Interior, )  
 )  
 Defendant. )  
 )

Magistrate Judge John P. Cooney filed Findings and Recommendation on July 12, 2005, in the above entitled case. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). When either party objects to any portion of a magistrate judge's Findings and Recommendation, the

district court must make a de novo determination of that portion of the magistrate judge's report. See 28 U.S.C. § 636(b)(1); McDonnell Douglas Corp. v. Commodore Business Machines, Inc., 656 F.2d 1309, 1313 (9th Cir. 1981), cert. denied, 455 U.S. 920 (1982).

Plaintiffs have timely filed objections. I have, therefore, given de novo review of Magistrate Judge Cooney's rulings.

I find no error. Accordingly, I ADOPT Magistrate Judge Cooney's Findings and Recommendation filed July 12, 2005, in its entirety. Defendant's motion to dismiss without prejudice, or in the alternative for a stay of proceedings (#54) is granted and the clerk shall enter a judgment dismissing the case without prejudice. Plaintiffs' motions to strike (#60) and motion for summary judgment (#37) are denied as moot.

IT IS SO ORDERED

DATED this 13<sup>th</sup> day of OCT., 2005.

  
UNITED STATES DISTRICT JUDGE